

REMARKS

Claims 1-18 remain pending in the application. Claims 1-3 and 10-12 are amended, and claims 19-43 are cancelled. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

In the Final Office Action, the Examiner rejects claims 2, 3, 5-9 and 11-13 under 35 U.S.C. §112, 1st paragraph as failing to comply with the enablement requirement. Specifically, the Examiner appears to take the position that the specification does not disclose that a transceiver which transmits data also transmits an acknowledgement.

Applicants have amended independent claims 1 and 10 to recite that the radio communication system comprises a first transceiver and at least one other transceiver, and have amended claims 2 and 11 to recite that each of the at least one other transceivers transmits an acknowledgment. Since claims 1 and 10 recite that the first transceiver transmits the data, and claims 2 and 11 only recite that the at least one other transceivers transmit the acknowledgement, Applicants submit that the present claim amendments have adequately addressed the issue raised by the Examiner.

Applicants note that claim 4, which was previously presented, recites that the network of devices comprises a first transceiver and at least one other transceiver. Further, claim 5, which was previously presented, recites that each of the at least one other transceivers transmits an acknowledgment. Since claim 4 recites that the first transceiver transmits the data, and claim 5 only recites that the at least one other transceivers transmit the acknowledgment, Applicants submit that the rejection of claims 5-9 is improper.

Applicants submit that there is clear enabling support for the claimed subject matter in the specification. The specification describes a protocol in a non-repeater system in detail at

page 9, line 25 to page 13, line 30. Page 14 discusses the extension of that protocol to systems including a repeater. In particular, page 14, lines 21-22 state “Both devices then know that the information was relayed by the repeater, *and in turn accepted or rejected by all devices in range of the repeater*”. Thus, while the example is, for ease of explanation, discussed in terms of transceivers A and B, in the context of the extension of the non-repeater system and this statement, it is clear that all other transceivers in the system send acknowledgements. Further, page 15, lines 16-22 discusses that it is beneficial to construct all devices in the network in the same way. Accordingly, Applicants submit that it is clear that what is being acknowledged is receipt of the retransmitted data, and respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 112, 1st paragraph.

In the Final Office Action, the Examiner rejects claims 1-5, 10, 11 and 13-17 under 35 U.S.C. §103(a) as being unpatentable over Brederveld et al. (U.S. Patent No. 5,898,679) in view of King (U.S. Patent Application Publication No. 2009/0154390) and Shurmantine et al. (U.S. Patent No. 7,746,804). Applicants respectfully traverse the rejection for at least the following reasons.

In the Final Office Action, the Examiner acknowledges that Bredervelds' relay station 150 does not transmit an overall acknowledge status to inform all transceivers in the system of the success or failure of receipt of the data transmitted by the relay station. However, the Examiner asserts that this feature would have been obvious, in view of the teachings of King and Shurmantine et al.

King discloses a packet repeater that receives a data packet and retransmits the data packet to an intended recipient. The intended recipient transmits an acknowledgment or ACK signal back to the original source of the data packet through the packet repeater. See paragraph

[0044] of King. The Examiner acknowledges that King's acknowledgement or ACK signal is not transmitted to all transceivers in the system. However, the Examiner asserts that this would have been obvious, in view of the teachings of Shurmantine et al. Applicants respectfully disagree.

Shurmantine et al. discloses a wireless communication network having repeaters 208. Upon being powered on, the repeater 208 broadcasts a repeater status message. See col. 17, lines 12-34 of Shurmantine et al.

The Examiner refers to col. 17, lines 25-30, in which Shurmantine et al. states "the repeater broadcasts a repeater status message, as noted by block 520". However, it is noted that this message is only sent as part of the power on procedures of the repeater to allow the repeater to indicate to the master that it is now turned on. The Examiner is directed to col. 13, lines 28-64 which explicitly states "One network maintenance message is a repeater status message. Such a message is transmitted by a repeater to the master, indicating the current status of the repeater." This is further supported by col. 17, lines 27-28, in which Shurmantine et al. states that the repeater, after having sent its repeater status message, "waits for and receives a repeater configuration message from the master."

Thus, it is clear that the "repeater status message" in Shurmantine et al. is a specific message from the repeater to the master to indicate the status of the repeater (e.g., "I'm on now") and not an overall acknowledge status to inform all transceivers in the system of the success or failure of receipt of data transmitted by the repeater, as recited in Applicants' claim 1. Thus, Applicants submit that Shurmantine et al. fails to suggest Applicants' subject matter, and actually teaches away from transmitting a status message to all receivers in a network after every repeated message.

For at least these reasons, Applicants submit that the combined teachings of Brederveld et al., King and Shurmantine et al. do not render obvious Applicants' claimed subject matter, and request that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

In the Final Office Action, the Examiner rejects claims 19, 27, 35 and 37 under 35 U.S.C. §103(a) as being unpatentable over Song et al. (U.S. Patent Application Publication No. 2004/0146013) in view of Scott et al. (U.S. Patent No. 5,796,738), and rejects claims 20-26, 28-34, 36 and 38-43 under 35 U.S.C. §103(a) as being unpatentable over Song et al. in view of Scott et al. and Molle (U.S. Patent No. 5,978,383).

Applicants have cancelled claims 19-43, merely to advance the prosecution of the present application to issue. Thus, the cancellation of these claims should not be taken as an acquiescence to the propriety of the rejection.

In the Final Office Action, the Examiner objects to claim 18 as being dependent upon a rejected base claim, but indicates that it would be allowable if rewritten in independent form. The Examiner also indicates that claims 6-9 and 12 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, 1st paragraph and to include all the limitations of the base claim and intervening claims.

Applicants wish to thank the Examiner for indicating that claims 6-9, 12 and 18 include allowable subject matter. However, Applicants submit that claims 6-9, 12 and 18 are in condition for allowance in their present form, as independent claims 4, 10 and 16 are submitted to be in condition for allowance for the reasons discussed above.

Based on the above, it is respectfully submitted that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

Reconsideration of the Final Official Action, and allowance of the present application and all of the claims therein are respectfully requested and believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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